

REMARKS

This responds to the Office Action mailed on August 10, 2007.

Claims 1, 3, 10, 12, and 23-25 are amended, claim 19 is canceled, and claims 26-28 are added; as a result, claims 1-18 and 20-28 are now pending in this application.

As a note, claim 19 was inadvertently a duplicate of claim 18.

Interview Summary

Applicant's representative, John Fischer, and Examiner Kim conducted a personal interview on October 3, 2007, wherein independent claims 1, 10, and 20-24 were discussed. Applicant thanks Examiner Kim for his time.

§102 Rejection of the Claims

Claims 1-19, 21 and 23-25 were rejected under 35 U.S.C. § 102(e) for allegedly being anticipated by Martinek et al. (U.S. 7,043,641), hereinafter "Martinek".

Concerning claims 1, 23, and 24

Applicant cannot find in the cited portions of Martinek any disclosure or description of "authenticating a gaming terminal's identity; when the gaming terminal's identity is authenticated, then: applying an encryption technique to encrypt a gaming software program, which produces an encrypted gaming software program; and transmitting the encrypted gaming software program to the gaming terminal", as presently recited in claim 1, and similarly recited in claims 23 and 24. Instead, Martinek is apparently directed to software authentication and validation. Furthermore, Martinek does not disclose or describe encryption or transmission of encrypted gaming software conditioned on a successful authentication. Thus, because Martinek does not disclose or describe every element of claims 1, 23, and 24, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning claim 10, 23, and 25

Applicant cannot find in the cited portions of Martinek any disclosure or description of "authenticating a gaming system server's identity; when the gaming server's identity is

authenticated, then: receiving an encrypted gaming software program from the gaming system server; and applying a decryption technique to decrypt the encrypted gaming software program, which produces a gaming software program”, as presently recited in claim 1, and similarly recited in claims 23 and 25. Instead, as discussed above, Martinek is apparently directed to software authentication and validation. Thus, because Martinek does not disclose or describe every element of claims 1, 23, and 25, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning claim 17

Applicant cannot find in the cited portions of Martinek any disclosure or description of several elements in claim 17, including “encrypting the public-key private-key key pair to produce an encrypted public-key private-key key pair” and “signing the certification authority digital certificate request using the private-key of the public-key private-key key pair to form the certification authority digital certificate”, as presently recited in claim 17. Instead, Martinek merely generally discusses public key use in digital signatures. Thus, because Martinek does not disclose or describe every element of claim 17, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning claim 18

Claim 18 was generally rejected with claims 17-19, 21, and 23-35 (see Office Action at p. 5). Applicant has reviewed the cited portions of Martinek, and is responding in all good faith, even though claim 18 was not rejected with particularity.

Applicant cannot find in the cited portions of Martinek any disclosure or description of several elements in claim 18, including “generating an unsigned digital certificate request, the unsigned digital certificate request including the public-key associated with the encrypted public-key private-key key pair” and “providing the unsigned digital certificate request to an approval authority” and “receiving, from the approval authority, a signed digital certificate associated with the unsigned digital certificate request, the signed digital certificate including a digital signature from the approval authority, the digital signature formed by digitally signing the public-key of the public-key private-key key pair with an approval authority private-key from an approval

authority public-key private-key key pair, the digital signature linking the signed digital certificate to the approval authority”, as presently recited in claim 18. Instead, Martinek merely generally discusses public key use in digital signatures. Thus, because Martinek does not disclose or describe every element of claim 18, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning claim 21

Claim 21 was generally rejected with claims 17-19, 21, and 23-35 (see Office Action at p. 5). Applicant has reviewed the cited portions of Martinek, and is responding in all good faith, even though claim 21 was not rejected with particularity.

Applicant cannot find in the cited portions of Martinek any disclosure or description of several elements in claim 21, including “receiving a signed digital certificate from a server, the signed digital certificate having an associated public-key private-key key pair and having a digital signature from an approval authority, the digital signature formed by digitally signing the public-key of the public-key private-key key pair with an approval authority private-key from an approval authority public-key private-key key pair” and “verifying a validity period of the digital certificate” and “validating the digital signature of the signed digital certificate if the period of the digital certificate is valid” and “validating a location of the server if the digital signature of the signed digital certificate is valid” and “authenticating the server if the location of the server is valid”, as presently recited in claim 21. Instead, Martinek merely generally discusses public key use in digital signatures. Thus, because Martinek does not disclose or describe every element of claim 21, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning claims 23-25

Claims 23-25 were generally rejected with claims 17-19, 21, and 23-35 (see Office Action at p. 5). Applicant has reviewed the cited portions of Martinek, and is responding in all good faith, even though claims 23-25 were not rejected with particularity. Applicant respectfully refers the Examiner to previously made arguments above, with reference to claims 1, 23, and 24; and 10, 23, and 25.

Concerning dependent claims 2-9 and 11-16

Dependent claims 2-9 and 11-16 depend from independent claims 1 and 10 either directly or indirectly, and accordingly incorporate the features of these independent claims. These dependent claims are accordingly believed to be patentable for the reasons stated herein. Thus, Applicant respectfully requests withdrawal of the rejection of these claims.

§103 Rejection of the Claims

Claims 20 and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Martinek.

Concerning claims 20 and 22

Claims 20 and 22 was rejected using a general statement (see Office Action at p. 7). Applicant has reviewed the cited portions of Martinek, and is responding in all good faith, even though claims 20 and 22 were not rejected with particularity.

Applicant cannot find in the cited portions of Martinek any disclosure or description of several elements in claims 20 and 22, including “receiving session key encrypted data based on an access control list, the access control list comprising the access information”, as presently recited in claim 20 and “enabling the gaming terminal to receive data based on an access control list, the access control list comprising the gaming terminal access information” as recited in claim 22. Instead, Martinek merely generally discusses public key use in digital signatures. Thus, because Martinek does not disclose or describe every element of claims 20 and 22, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action; however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2134 to facilitate prosecution of this application.

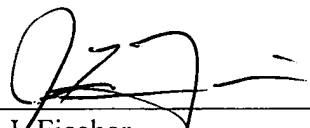
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2134

Date 10 Dec 2007

By


John I. Fischer
Reg. No. 60,900

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10 day of December 2007.

Therese M. Cannon

Name

Therese M. Cannon
Signature